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PC.SHDM.DEL/1/19
1 April 2019
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ENGLISH only



PERMANENT MISSION OF THE HOLY SEE
TO THE ORGANIZATION FOR SECURITY
AND COOPERATION IN EUROPE

**STATEMENT BY MONSIGNOR JANUSZ S. URBAŃCZYK,
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AT THE FIRST SUPPLEMENTARY HUMAN DIMENSION MEETING ON**

***“Upholding the Principles of Tolerance and Non-Discrimination, including in the
Promotion and Protection of Freedom of Religion or Belief”***

Vienna, 1-2 April 2019

Madam Moderator,

At the outset, the Holy See wishes to commend the Slovak OSCE Chairmanship for deciding to devote this first Supplementary Human Dimension Meeting of 2019 to promoting freedom of religion or belief and addressing discrimination and intolerance on religious grounds. While both the title and agenda for this meeting would have benefitted from a greater degree of focus on existing commitments adopted by the OSCE participating States and the discussions held before and during the Ministerial Council in Milan, my Delegation hopes that these days will prove helpful as the participating States move forward on these two crucial issues. The Holy See is pleased to offer the following considerations as its contribution that will be presented separately during the three working sessions of this meeting.

First session: Root causes and consequences

To comprehend and tackle the root causes of intolerance and discrimination on religious grounds and the weakening of the freedom of religion or belief, it is necessary to understand what freedom of religion or belief truly is. These two human dimension issues belong together, both due to the indivisibility, interdependence and interrelation of human rights, and the OSCE’s comprehensive approach to security. The OSCE and the principles of international law recognize that freedom of religion or belief belong to the essential core of fundamental human rights. Moreover, participating States have adopted a series of truly detailed commitments on freedom of religion or belief.

In the Helsinki Final Act, the participating States promised to respect the freedom of every citizen “to profess and practice, alone or in community with others,” a concept that includes not only the holding of religious belief but also practising it, as the faith dictates, with the freedom to do so in common and as a public act. In Vienna 1989, the participating States took upon themselves to respect a series of rights belonging to religious communities: the establishment and maintenance of places of worship, internal autonomy as to their hierarchical structure, selection, appointment and replacement of personnel, and the solicitation and reception of financial contributions. Furthermore, the right of parents to ensure the religious and moral education of their children, the training of religious personnel in appropriate institutions, and the possession and use of religious books was also underscored.

In Copenhagen 1990, the participating States summed up the above by affirming the right of everyone to “manifest one’s religion or belief, either alone or in community with others, in public or in private, through worship, teaching, practice and observance,” specifying that the right to freedom of thought, conscience and religion includes freedom to change one’s religion or belief. The sum of these commitments entails that freedom of religion or belief encompasses not only the right to manifest one’s religion or belief, on the individual and collective levels, through worship, teaching, practice, and observance, but also to follow one’s conscience in religious matters and to live coherently by manifesting one’s beliefs in public, without being coerced to conceal them.

The concrete effect of a failure to understand freedom of religion or belief and attempts to circumscribe what this fundamental freedom actually entails is the seemingly ever-increasing presence of a reductionist approach to, or understanding of, freedom of religion or belief. This worrying phenomenon that seeks to limit the freedom of religion or belief to that which takes place in the internal, private, unseen sphere, and by restricting the right to mere belief in one’s heart and private practices that take place within the four walls of the home. Furthermore, it seeks to limit or indeed silence any public involvement based on religious faith or morals, again striving to confine it to the internal sphere. Under some guise of “political correctness”, such discomfort or opposition to religion marks faith and its moral tenants as hostile, even offensive, and therefore, in need of elimination.

Such an approach is hardly compatible with freedom of religion or belief. Against this reductionist approach, Pope Francis has pointed out that religious freedom “certainly means the right to worship God, individually and in community, as our consciences dictate. But religious liberty, by its nature, transcends places of worship and the private sphere of individuals and families. Because religion itself, the religious dimension, is not a subculture; it is part of the culture of every people and every nation”.¹

Second session: Security of communities and support to victims

The annual hate crime data collected and presented by ODIHR – year after year – testify to the rising number of criminal offences committed with a bias motive targeting Christians, Jews, Muslims and members of other religions. These include terrible acts of violence committed against an individual or group of believers, destruction or damage to houses of worship, shrines, cemeteries and other religious buildings, as well as vandalism and theft of religious objects and artefacts. In this respect, it should also be recalled that, with the Ministerial Council Decision No. 3/13, participating States have committed themselves to “adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction”. Therefore, participating States have a primary responsibility to protect religious properties within their jurisdiction. Not only should they prosecute and punish the perpetrators, but they should also assume all initiatives necessary to prevent hate crimes against religious properties.

The annotated agenda encourages us to discuss how hate crimes or patterns of discrimination against protected or marginalized groups lead to an environment conducive to conflict on a wider scale and violence that undermines international stability and security. In this respect, it is well known that the participating States agreed by consensus to limit the OSCE’s specific interest in the area of tolerance and non-discrimination to those phenomena that could threaten the security and stability of the Region. The reason for this circumscribed scope of the OSCE’s interest was not a desire to ignore certain groups, but rather to reflect the Organization’s decision to address in common those particular phenomena that might erode confidence between States and trigger violence and conflict on a wider-scale, putting in danger the peaceful relations among States.

¹ Pope Francis, Meeting for Religious Liberty, Philadelphia, 26 September 2015.

My Delegation recalls that, as rightly recognized by the OSCE, intolerance and discrimination on the grounds of religion or belief are certainly among the phenomena that can undermine the peace and stability of the Euro-Atlantic and Eurasian Region and wishes to call again the OSCE and its Institutions to focus on existing commitments, in line with the Organization's origin and nature, rather than delay the implementation of all commitments by attempting to cover too much ground.

Turning now to hate crime, there are some worrying instances where private individuals and public officials or bodies seek to frighten or intimidate Christians, Jews, Muslims and members of other religions from public dialogue and from taking an active part in society based on their faith. Unfortunately, at times, this kind of intolerance is advanced through accusations of "hatred" or "hate speech", where religious beliefs are considered by some as synonymous with "hate" and religion is viewed as a problem. Such attempts to equate belief or religious doctrine with hatred and subject these to prosecution and persecution as some kind of crime of hatred represent a violation both of the freedom of religion or belief and of the freedom of expression, as well as a manifestation of intolerance and discrimination. Such hostility to religion can also be present in the opposition to display religious symbols or to wear religious attire in public space, which would also limit the freedom of religion or belief.

A final category of the many challenges facing both believers and faith and belief communities in the OSCE region is discrimination and/or discriminatory practices. Over many years, the issue of registration mechanisms for religious communities has been given attention by the participating States. While registration mechanisms that enable faith and belief communities to function within the administrative and legislative parameters of a given State, in accordance with the rule of law, are in line with OSCE commitments,² participating States should be vigilant that such mechanisms do not become in and of themselves a violation of the freedom of religion or belief. The right of religious communities to exist as autonomous organizations is already recognized in international instruments and in the OSCE commitments. In this respect, my Delegation welcomes again the *Guidelines on the Legal Personality of Religious or Belief Communities*, which represents a benchmark document containing minimum international standards at the disposal of those involved in drafting, reviewing and applying legislation in this field. Social or private instances of discrimination against believers and faith and belief communities must also be taken seriously, in order to address discrimination in the workplace or in education or related to full public, social, cultural, political and economic participation.

An issue that my Delegation believes deserves increased attention is the denial of the public role of Christian Churches and the attempt to exclude Christian believers from public discourse. Not only does it deny citizens their right to participate in politics, but it can also easily slide into more overt discrimination or intolerance. According to our commitments, the OSCE and its participating States should engage in consultation with religious communities and promote the participation of these communities in public dialogue, even through the mass media. Therefore, participating States are called upon to welcome and encourage the representatives of religious communities to give their views – based on moral convictions deriving from their faith – about everyday life. But the media and public discourse are not always free from attitudes of intolerance and, sometimes, of actual denigration of members of all religions. Advocacy of "politically correct" issues all too often provides sufficient justification to label and denigrate Christians as bigoted or intolerant.

Addressing both the security needs of faith and belief communities and providing the necessary support for victims of violence, hate crime, intolerance or discrimination must

² In the Vienna Document 1989, participating States committed to ensuring the freedom to profess and practice religion or belief, and to, *inter alia*, "grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries" (16.3).

begin with a thorough assessment of the risks and the reality of discrimination and intolerance, hate crime and violence that face Christians, Jews, Muslims and members of other religions, as well as non-believers. Without an adequate grasp of the current situation, our efforts will likely fall short and potentially miss significant aspects that need to be addressed. Advancing dialogue with the affected faith and belief communities and their members on the current challenges they face, as well as awareness-raising regarding both the freedom of religion or belief and OSCE commitments incumbent on the participating States on preventing and combating violence, hate crimes, intolerance and discrimination on religious grounds, will, therefore, be key.

Third session: The role of educational programs

At the Ministerial Council in Brussels, the participating States recognized the value of cultural and religious diversity as a source of mutual enrichment of societies and the importance of integration as a key element to promote mutual respect and understanding. Indeed, religious values should be considered as an enriching integral component of a society rather than a subculture that is not linked with public life. Furthermore, at the Ministerial Council in Ljubljana the participating States encouraged public and private educational programmes that promote tolerance and non-discrimination, and that raise public awareness of the existence and the unacceptability of intolerance and discrimination, fighting prejudice, intolerance and discrimination. The Holy See stresses the importance of these commitments that highlight education as a tool at our disposal to build bridges for peace and stability and to raise our youth as peace-makers and promoters of true tolerance and non-discrimination.

Indeed, education is essential to overcome intolerance and discrimination, including hate crimes, in our Region and beyond, as was stated in the 1990 Copenhagen document: “Participating States declare their firm intention to intensify the efforts to combat these phenomena in all their forms and therefore will endeavour to ensure that the objectives of education include special attention to the problem of racial prejudice and hatred and to the development of respect for different civilizations and cultures”.

The Catholic Church operates the largest non-governmental school system in the world. Experience shows that when education brings pupils and students from various ethnic, religious, social, linguistic and national origins together, where everyone is allowed to be who they are without discrimination or assimilation, tolerance and non-discrimination take root not only in the system but also in the human heart. Moreover, it is important that schools, colleges and universities teach about other nations, religions and traditions, as such a widened – and accurate, neutral and objective – knowledge furthers understanding and a truly tolerant spirit.

With regard to children’s education, the right of parents to ensure the religious and moral education of their children in conformity with their own convictions should always be kept in mind and, in accordance with such a right, States may not pursue indoctrination and children may not be forced to accept teaching which is not consistent with the convictions of their parents.

Our Delegation once again applauds the *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education* prepared by ODIHR, and it is our hope that, benefitting from the expertise deriving from these Guidelines and in accordance with the common approach in addressing all forms of religious intolerance and discrimination, the ODIHR may also draft guidelines for educators on countering intolerance and discrimination against Christians.

The positive role of religion in the public square, as enshrined in OSCE commitments,³ needs to be recognized. As Pope Francis underscored in his Apostolic Exhortation *Evangelii Gaudium*, social dialogue is a contribution to peace. In this regard, also

³ Cf. Ministerial Council Decision 3/13.

interreligious dialogue could be a tool which reinforces mutual understanding and builds confidence in order to reduce intolerance and discrimination. In fact, religion, with its values and traditions, can significantly contribute to the enrichment and development of society, and to create a peaceful environment where everybody is free to profess and practise its faith. As far back as 1983, the participating States committed themselves to consult with “religious faiths, institutions and organizations”⁴, thereby recognizing the public role and public engagement of the various forms of religious structures as partners for peace and security. At the Ministerial Council in Kyiv, the participating States considered it among their duties, regarding the protection of the freedom of religion or belief, also to “encourage the inclusion of religious or belief communities, in a timely fashion, in public discussions of pertinent legislative initiatives,” to “promote dialogue between religious and belief communities” and “to adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction.”

As Pope Francis has recalled, religions “remind us of the transcendent dimension of human existence and our irreducible freedom in the face of any claim to absolute power”.⁵ Indeed, religions have an enduring power to open new horizons, to stimulate thought, to expand the mind and the heart⁶, feeding mutual trust among people and communities.

The Holy See considers interreligious dialogue, as well as dialogue between religious communities and participating States, as an important means to promote greater tolerance, respect and understanding between believers of different communities and between believers and non-believers, and to ensure the stability and security of our democratic societies. The Holy See is strongly committed to facilitating interreligious dialogue at various levels through its relevant Pontifical Council, whose primary task is that of promoting mutual understanding, respect and collaboration between Catholics and followers of other religious traditions, encouraging the study of religions and promoting the formation of people dedicated to dialogue.

It is important to remark here that interreligious dialogue is, properly speaking, an internal matter for religious communities, which should be free to decide if and when to start this dialogue, as well as to decide with which communities and on which issues to conduct it. Interreligious dialogue is a dialogue of life, a dialogue of being together as religious communities in one and the same society. On the other hand, dialogue between religious communities and governmental bodies has different premises and goals, since it is aimed at achieving a better understanding of the requirements or positions of religious communities and an active cooperation in order to resolve concrete challenges. Moreover, through such dialogue religious communities and governments can work together to promote the common good, peaceful coexistence and understanding in societies and for all humanity.

The Basel Tasking

The Holy See wishes to thank once more the Serbian, German, Austrian and Italian Chairmanships for their proposals and attempts to ensure progress on the Basel tasking: the elaboration of Ministerial Council declarations on enhancing efforts to combat intolerance and discrimination, including against Muslims, Christians and members of other religions. My Delegation has actively taken part in all relevant negotiations and sought – to the point possible – to contribute to the drafts tabled for the Ministerial Council since 2015.

While my Delegation regrets that the last four years of negotiations have been unsuccessful and at times very unhelpful, there has also been a slow – but undeniable – progress in terms of keeping it alive and raising awareness of the issue. The active engagement of ever more Delegations in the negotiations, the number of important points

⁴ Madrid Document 1983.

⁵ Pope Francis, Meeting for Religious Liberty, Philadelphia, 26 September 2015.

⁶ Pope Francis, apostolic exhortation *Evangelii gaudium*, on the proclamation of the Gospel in today’s world.

found to be agreeable to all, and the growing recognition of the real and tangle impact of discrimination and intolerance on religious grounds in our societies all suggest that we are moving forward. Further progress would no doubt have been possible if additional time had been allotted to these negotiations. To interrupt these negotiations – apparently based on a selective judgment – is, in our view, counter-productive.

The Holy See, therefore, calls on the 2019 Slovak OSCE Chairmanship to conduct informal consultations with interested Delegations before the summer recess to lay the basis for the tabling of drafts for this year's Ministerial Council, and to allot sufficient time for negotiations after the Human Dimension Implementation Meeting.

Recommendations

The Holy See takes this opportunity to make the following recommendations, as part of the outcomes of this Supplementary Human Dimension Meeting:

1. OSCE participating States should ensure that knowledge about what constitutes a hate crime and the predominant types of such crimes against Christians are known among police and law enforcement.
2. OSCE participating States and ODIHR should ensure that information regarding the religious value attributed to a sacred site or object attacked or damaged is included in the relevant report.
3. ODIHR – in line with commitments on the protection of religious communities and properties enshrined in Ministerial Council decision no. 3/13 – should continue its work and develop new initiatives pertaining to the protection of all religious communities, including their property.
4. OSCE participating States should ensure that hate crime legislation, provisions and programmes do not violate universal human rights and fundamental freedoms.
5. OSCE participating States and ODIHR should give careful consideration to the freedom of religion or belief when considering hate crimes.
6. ODIHR should undertake a study of the use of labels such as “hate”, “hateful” or “hate speech” to silence or intimidate religious communities, religious leaders and believers.
7. OSCE participating States should carefully record hate crimes committed against religious properties.
8. OSCE participating States should fully implement their commitment to adopt policies to promote respect and protection for places of worship and properties of all religious communities, benefiting from the expertise of the ODIHR in this field.
9. OSCE participating States should provide disaggregated data on hate crimes, paying greater attention to the hate crimes against Christians, Jews, Muslims and members of other religion – also where they are the majority – from the questionnaire used to collect information from national data collection points.
10. OSCE participating States and ODIHR should advance training for enforcement agencies, criminal justice system professionals and civil society to consider carefully also the hate crimes perpetrated against majority religious communities.

In closing, my Delegation once more thanks those responsible for organizing this SHDM and assures all participants of its continued commitment to the freedom of religion or belief and to prevent and combat violence, hate crime, intolerance and discrimination on religious grounds.

Thank you, Madam.